

REMARKS

Claims 1-4, 7-10, 12-14, 18-22, 24-28 and 33-34 are pending in the present application, with claims 1, 12, 22, 26, and 33 being the independent claims. Claims 1, 9-10, 12-14, 18-22, 24-28, and 33-34 have been amended, and claims 5-6, 15-17, 23 and 29 have been canceled. No new matter has been entered.

In the Final Rejection, dated March 15, 2007, claim 33 stands objected to for wording informalities; claims 10, 12-29, and 33-34 stand rejected under 35 U.S.C. § 101; claims 33-34 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement and under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite; and claims 1-10 and 12-29 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,308,274 (Swift). These rejections are respectfully traversed.

Claim Objections – Claim 33

Claim 33 stands objected to for informalities at lines 7 and 11. Claim 33 has been amended to delete the noted informalities. Withdrawal of the objection to claim 33 is solicited.

Rejection under 35 U.S.C. § 101 – Claims 10, 12-29, and 33-34

Claims 10, 12-29, and 33-34 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 10, 12-28, and 33-34 have been amended to recite a “computer readable storage medium” so as to obviate this rejection. Reconsideration and withdrawal of the rejection based on 35 U.S.C. § 101 is solicited.

Rejection under 35 U.S.C. § 112, First Paragraph – Claims 33-34

Claims 33-34 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. This rejection is traversed. The recited language is specifically supported in the originally filed specification at page 11, line 20, to page 12, line 5. Reconsideration and withdrawal of the rejection based on 35 U.S.C. § 112, first paragraph, is solicited.

Rejection under 35 U.S.C. § 112, Second Paragraph - Claims 33-34

Claims 33-34 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for lack of antecedent basis for “the registered dynamic access check callback function” in claim 33. Claim 33 has been amended to provide antecedent basis for this term. Withdrawal of the rejection based on 35 U.S.C. § 112, second paragraph, is solicited.

Rejection under 35 U.S.C. § 102(e) – Claims 1-10 and 12-29

Claims 1-10 and 12-29 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Swift (USP 6,308,274). Claims 1, 12, and 22 have been amended to obviate this rejection.

In particular, independent claim 1 has been amended to include the features of claims 5 and 6, claim 12 has been amended to include the features of claims 15-17, and 22 has been amended to include the features of claim 23 specifying the step of:

automatically invoking, via said application programming interface, an application-defined dynamic access check routine that performs based upon dynamic data and second dynamic policy in the callback access control entry for the application, wherein said second dynamic policy is tailored to said application and said dynamic data includes authorization policy data stored in a callback access control entry or run-time data managed by the application.

Claim 26 is believed to distinguish over Swift without further amendment.

In rejecting the claims, the Examiner has argued that the user and the type of process or application used by the user to access the resource corresponds to the claimed dynamic data. The Examiner also has argued that accessing a resource using one type of process but not another suggests the use of dynamic policies as claimed. Applicant respectfully disagrees. In order to prevent such an overly expansive definition of “dynamic data” in the context of the invention, key portions of the definition of “dynamic data” has been incorporated into independent claims 1, 12, 22, and 26 from claim 29. As defined therein, the claimed “dynamic data” includes “authorization policy data stored in a callback access control entry and/or run-time data managed by the application.” Similarly, each “dynamic policy” in claims 1, 12, and 22 is specified to be “tailored to an application through which the resource is accessed.” The policies thus apply to the same application – not to specify which one of different applications to use (*e.g.*, MS Word or Internet Explorer) as the Examiner argues. Applicant submits that Swift does not anticipate the use of such dynamic data and policies as so defined.

Independent claims 1, 12, and 22 also have been amended to include the features from dependent claims 5-6, 15-17 and 23, respectively, specifying that the application-defined dynamic access check routine is automatically invoked via the application programming interface to perform “based upon dynamic data and second dynamic policy in the callback access control entry” for the application through which the resource is accessed. As noted above, Swift does not disclose the claimed dynamic data and dynamic policies and does not “automatically invoke” an “application-defined dynamic access check routine” based on such dynamic data and policies. On the contrary, Swift provides a mechanism to enforce “least privilege,” or in some way reduced access, via restricted access tokens. Restricted tokens

enable a security mechanism to determine whether a process has access to a resource based on a modified, restricted version of an existing access token. The restricted token is based on an existing token, and has less access than the existing token. The restricted token is created by changing an attribute of one or more security identifiers that allow access in the parent token to a setting that denies access in the restricted token. Similarly, the restricted token can be created by removing a privilege from the restricted token that is present in the parent token. In addition, restricted security identifiers may be placed in a restricted token. Unlike the invention, access to the resource is NOT controlled based on “authorization policy data stored in a callback access control entry and/or run-time data managed by the application” as now claimed in claims 1, 12, 22, and 26.

Swift further fails to teach that the dynamic data is used to enable the application “to assign temporary group membership, based on dynamic factors, to a client for the purpose of checking access rights” as claimed in claim 26.

As noted in the previous response, while the restricted token based system of Swift is made more versatile by allowing the creation of restricted access tokens, Swift remains an example of a system that enforces static access policy in that every time a token, e.g., a restricted token, of Swift is evaluated to determine whether a particular task can be performed by a user, or whether an application may access a particular object, *the token or restricted token is evaluated using static data with static access policies*. In particular, Swift enforces a static access policy, as described in the background section of Applicants’ specification (See pages 1-2, first three paragraphs of background).

Also, Swift says nothing of dynamically varying access policies for a particular application or changing a restricted token based on dynamic data. On the contrary, different

restricted tokens are associated with *different* processes and do not provide for dynamic access policies regarding a particular application as claimed. The restricted tokens change only if the requesting process changes (and the new requesting process has a different associated access token) – the restricted tokens themselves are NOT generated for the same application according to dynamic factors. Restricted tokens as taught by Swift do not vary a client authorization context based on dynamic policies and/or dynamic data for a particular application as claimed.

Since the system of Swift is based on static policy and data and not the dynamic data identified with specificity in the claims, Swift cannot be said to teach or suggest the invention as set forth in independent claims 1, 12, 22, and 26 and, through dependency, claims 2-4, 7-10, 13-14, 18-21, 24-25, and 27-28. Reconsideration and withdrawal of the §102(e) rejection based on Swift is respectfully requested.

Upon reconsideration of the claims in view of Swift, the Examiner is again asked to note that the Swift patent is commonly owned prior art that falls within the provisions of 35 U.S.C. §103(c).

Allowable Subject Matter – Claims 33-34

Applicant appreciates the Examiner's indication that claims 33-34 include allowable subject matter. In view of the amendments to these claims to address the objection to claim 33 and rejections under 35 U.S.C. §§101, 112, first paragraph, and 112, second paragraph, claims 33-34 are now believed to be in condition for allowance.

Entry of Amendments After Final Rejection

Applicant notes that the amendments made to the claims do not raise any new issues for the Examiner's consideration or extend beyond the scope of the previous prior art search.

DOCKET NO.: MSFT-0222/158379.2
Application No.: 09/849,093
Office Action Dated: March 15, 2007

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

The independent claims have been amended to include features from dependent claims and to include language specifically requested by the Examiner to address the §§101 and 112, second paragraph, rejections. Consideration of the amendments requires no further consideration and places no further examination burden on the Examiner. Moreover, the claim amendments are specifically tailored to resolving the issues raised by the Examiner for placing the application in condition for allowance. Entry of the above amendments after Final Rejection is thus proper and is respectfully solicited.

Conclusion

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Final Rejection, and submits that claims 1-4, 7-10, 12-14, 18-22, 24-28 and 33-34 of the application are in condition for allowance. Favorable consideration and issuance of a Notice of Allowability are earnestly solicited.

Date: May 11, 2007

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439